



**Michael J. Gallagher**

Council Member

Cuyahoga County Council District 5

Committee Chair: Public Safety & Justice Affairs

Committee Vice Chair: Human Resources, Appointments & Equity

Committee Member: Finance & Budgeting

Committee Member: Community Development

February 4, 2019

The Honorable Armond Budish  
Cuyahoga County Executive  
2079 East 9<sup>th</sup> Street – 8<sup>th</sup> Floor  
Cleveland, Ohio 44115

Dear Executive Budish:

As follow up to our discussion last week, I am writing today to request that you immediately place the Director of Human Resources, Douglas Dykes, on leave and that all his access to any County computer systems and/or programs be revoked. As you know Mr. Dykes has been charged with the following four crimes: (1) Theft in Office – F3, (2) Tampering with Records – F3, (3) Obstructing Official Business - M2, (4) Falsification - M1.

While our judicial system provides all defendants a presumption of innocence, it is unfathomable that Mr. Dykes remains on the job after being indicted on these four counts. These indictments, together with the related findings for recovery in the County's 2017 audit, clearly indicate that Mr. Dykes may have acted with reckless disregard of the County's laws and personnel policies and facilitated the illegal expenditure of public dollars.

Furthermore, as a senior member of your cabinet, Mr. Dykes cannot effectively execute his responsibilities as Director of Human Resources while these charges remain pending. The Director of Human Resources is a role that demands competency, credibility, integrity, and the trust of the county's workforce, which includes all of our collective bargaining units. The Director must exercise judgment in determining whether to discipline or terminate county employees, including those who have been implicated in criminal activity. Mr. Dykes cannot possibly, in my opinion, impartially perform these duties under the current circumstances. I am fully aware that, under Mr. Dykes' tenure, County employees have been put on immediate leave for merely being implicated in criminal activity, with or without pay, as was appropriate. Mr. Dykes should be held to the same standard. One only needs to look at Mr. Rourke and Ms. McNeeley for guidance.

While I appreciate the oddly timed position that Cleveland.com's recent editorial took and your strong feeling that it somehow vindicates Mr. Dykes' actions, I would suggest we let the judicial system handle each case based on the facts. We must respect and rely on the established criminal process to determine whether Mr. Dykes is guilty or innocent of these alleged crimes, not opinion. To be consistent, and most importantly fair, to all concerned, I see no other choice.

Please let me know if you want to discuss this matter further, but I believe it is clear that due to the indictments Mr. Dykes should be immediately placed on leave.

Sincerely,

A handwritten signature in blue ink that reads "Michael J. Gallagher". The signature is stylized with a large, flowing "M" and a long, sweeping underline.

Michael J. Gallagher